

113TH CONGRESS
2D SESSION

H. R. 5512

To require that certain Federal lands be held in trust by the United States for the benefit of the Cow Creek Band of Umpqua Tribe of Indians, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2014

Mr. DEFazio introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To require that certain Federal lands be held in trust by the United States for the benefit of the Cow Creek Band of Umpqua Tribe of Indians, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cow Creek Umpqua
5 Land Conveyance Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) COUNCIL CREEK LAND.—The term “Council
2 Creek land” means the approximately 17,519 acres
3 of land, as generally depicted on the map entitled
4 “Canyon Mountain Land Conveyance” and dated
5 June 27, 2013.

6 (2) TRIBE.—The term “Tribe” means the Cow
7 Creek Band of Umpqua Tribe of Indians.

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 3. CONVEYANCE.**

11 (a) IN GENERAL.—Subject to valid existing rights,
12 including rights-of-way, all right, title, and interest of the
13 United States in and to the Council Creek land, including
14 any improvements located on the land, appurtenances to
15 the land, and minerals on or in the land, including oil and
16 gas, shall be—

17 (1) held in trust by the United States for the
18 benefit of the Tribe; and

19 (2) part of the reservation of the Tribe.

20 (b) SURVEY.—Not later than one year after the date
21 of enactment of this Act, the Secretary shall complete a
22 survey of the boundary lines to establish the boundaries
23 of the land taken into trust under subsection (a).

1 **SEC. 4. MAP AND LEGAL DESCRIPTION.**

2 (a) IN GENERAL.—As soon as practicable after the
3 date of enactment of this Act, the Secretary shall file a
4 map and legal description of the Council Creek land
5 with—

6 (1) the Committee on Energy and Natural Re-
7 sources of the Senate; and

8 (2) the Committee on Natural Resources of the
9 House of Representatives.

10 (b) FORCE AND EFFECT.—The map and legal de-
11 scription filed under subsection (a) shall have the same
12 force and effect as if included in this Act, except that the
13 Secretary may correct any clerical or typographical errors
14 in the map or legal description.

15 (c) PUBLIC AVAILABILITY.—The map and legal de-
16 scription filed under subsection (a) shall be on file and
17 available for public inspection in the Office of the Sec-
18 retary.

19 **SEC. 5. ADMINISTRATION.**

20 (a) IN GENERAL.—Unless expressly provided in this
21 Act, nothing in this Act affects any right or claim of the
22 Tribe existing on the date of enactment of this Act to any
23 land or interest in land.

24 (b) PROHIBITIONS.—

25 (1) EXPORTS OF UNPROCESSED LOGS.—Fed-
26 eral law (including regulations) relating to the ex-

1 port of unprocessed logs harvested from Federal
2 land shall apply to any unprocessed logs that are
3 harvested from the Council Creek land.

4 (2) NON-PERMISSIBLE USE OF LAND.—Any real
5 property taken into trust under section 3 shall not
6 be eligible, or used, for any gaming activity carried
7 out under Public Law 100–497 (25 U.S.C. 2701 et
8 seq.).

9 (c) FOREST MANAGEMENT.—Any forest management
10 activity that is carried out on the Council Creek land shall
11 be managed in accordance with all applicable Federal
12 laws, including the National Indian Forest Resources
13 Management Act (25 U.S.C. 3101 et seq.).

14 **SEC. 6. LAND RECLASSIFICATION.**

15 (a) IDENTIFICATION OF OREGON AND CALIFORNIA
16 RAILROAD GRANT LAND.—Not later than 180 days after
17 the date of enactment of this Act, the Secretary of Agri-
18 culture and the Secretary shall identify any Oregon and
19 California Railroad grant land that is held in trust by the
20 United States for the benefit of the Tribe under section
21 3.

22 (b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—
23 Not later than 18 months after the date of enactment of
24 this Act, the Secretary shall identify public domain land
25 in the State of Oregon that—

1 (1) is approximately equal in acreage and con-
2 dition as the Oregon and California Railroad grant
3 land identified under subsection (a); and

4 (2) is located in the vicinity of the Oregon and
5 California Railroad grant land.

6 (c) MAPS.—Not later than 2 years after the date of
7 enactment of this Act, the Secretary shall submit to Con-
8 gress and publish in the Federal Register one or more
9 maps depicting the land identified in subsections (a) and
10 (b).

11 (d) RECLASSIFICATION.—

12 (1) IN GENERAL.—After providing an oppor-
13 tunity for public comment, the Secretary shall re-
14 classify the land identified in subsection (b) as Or-
15 egon and California Railroad grant land.

16 (2) APPLICABILITY.—The Act of August 28,
17 1937 (43 U.S.C. 1181a et seq.) shall apply to land
18 reclassified as Oregon and California Railroad grant
19 land under paragraph (1).

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